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**FILED**

September 2, 2003

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

By: Jacqueline Pham  
Deputy Attorney General  
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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF MEDICAL EXAMINERS

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IN THE MATTER OF THE  
LICENSE OF:

ROBERT EDELMAN, D.O.  
LICENSE NO. MB030348

Administrative Action

Consent Order

TO PRACTICE MEDICINE AND  
SURGERY IN THE  
STATE OF NEW JERSEY

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Respondent, Robert Edelman, D.O., License No. MB30348 is a physician licensed in the State of New Jersey. Respondent appeared before the Preliminary Evaluation Committee of the Board of Medical Examiners ("Board") on November 7, 2001.

Respondent testified about his care, treatment and billing practices with regards to two patients L [REDACTED] R [REDACTED] and A [REDACTED] O [REDACTED]. Both patients attested that the only treatment they

received from respondent **were** heating pads applied to their backs and shoulders. During respondent's testimony, the Committee noted that most of the information required in a physical examination was **not** recorded in the patient's medical **record**. Specifically, **patient** L [REDACTED] R [REDACTED] was a thirteen year old **patient** whose age, height and blood pressure **were** not documented in his clinical data **sheet** nor **did** the record reveal any information about the patient's eyes, ears and throat.

Regarding patient A [REDACTED] O [REDACTED], respondent testified that this patient's initial visit **was** on **February** 9, 1995. The patient **presented** with pains in her right shoulder, mid to lower back and anterior chest wall. **Respondent testified** that this patient was last seen on June 29, 1995, at which time **the patient's** condition was improving. The patient was expected to return to the office to continue treatment after **June** 29, 1995, however there was **no** documentation in the chart to confirm whether the patient returned for follow up treatment. Respondent stated that the office policy dictated that the office would call the patient to make an appointment for treatment, however, there was no record of this in the chart. Respondent **also** testified that the **billing** submitted for the February 9, 1995 visit covered a complete examination and history. He also testified that a new billing policy was instituted after patients complained to the insurance company.

The Board **considered** the statements made and all **relevant** documents, and **it** appears to the Board that there is a basis for

disciplinary action pursuant to N.J.S.A. 45:1-21(e) in that respondent appears to have been engaged in improper billing **practices** in that he **billed** for chiropractic services which could not **be** substantiated. The Board was also concerned that respondent used inappropriate billing codes **which** reflected billing for **complex** visits although the visits in this matter **were** not **complex**. The **Board** also **noted** that respondent did not maintain contemporaneous medical charts and that he failed to take a complete history and perform a complete physical on the patients in this matter, and that he failed to aggressively follow up with these patients regarding their care.

The parties **being** desirous of resolving this matter without the necessity of formal **proceedings**, and for good cause shown:

IT IS on this 2nd day of **September** 2003:

ORDERED:

1. Respondent's license to practice medicine in the State of New Jersey is reprimanded and respondent shall pay a civil penalty in the amount of \$10,000.

BOARD OF MEDICAL EXAMINERS

By: William V. Harrer M.D. B.L.D.  
William V. Harrer, M.D., B.L.D.  
President

I have read and understood  
the terms and conditions  
of the within Order and  
agree to be bound by the  
terms of this Order.

I hereby give my consent  
to the entry of this Order.

A handwritten signature in dark ink, appearing to be 'Robert Edelman', written over a horizontal line.

Robert Edelman, D.O.

A handwritten signature in dark ink, appearing to be 'Joel S. Mayer', written over a horizontal line.

Joel S. Mayer, Esq.  
as to form